

Message Text

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TO AMEMBASSY BANGKOK NIACT IMMEDIATE

USMISSION GENEVA NIACT IMMEDIATE

INFO AMEMBASSY ATHENS IMMEDIATE

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E.O. 11652: N/A

TAGS: SREF, VS, UNHCR

SUBJECT: VIETNAMESE REFUGEES FROM DANANG

REF; BANGKOK 1589 NOTAL

1. AS WE SEE IT, REFTEL DESCRIBES SITUATION IN WHICH
THREE GENUINE POLITICAL REFUGEES, WHO HAVE ESCAPED FROM
VIETNAM AND SEEK POLITICAL ASYLUM IN THAILAND, ARE NOW
FACING FORCIBLE REPATRIATION TO THEIR HOMELAND.

2. THE PRIMARY MANDATE OF THE UNITED NATIONS HIGH
COMMISSIONER FOR REFUGEES IS TO PREVENT SUCH FORCIBLE
REPATRIATION.

3. TWO OF THESE REFUGEES DO NOT HAPPEN TO FIT THE PRESENT
CRITERIA FOR THE US PAROLE PROGRAM AND THE BONA FIDES
OF THE CLAIM OF THE THIRD IS UNVERIFIED. WHEN WE HAVE
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TAKEN THOUSANDS OF REFUGEES FROM THAILAND AND EXPECT

TO TAKE MORE, WE SEE NO REASON WHY WE SHOULD BE PLACED IN THE POSITION OF BEING THE ONLY POSSIBLE ALTERNATIVE TO FORCED REPATRIATION IN THIS CASE. WHEN WE HAVE MADE MAJOR EFFORTS TO COOPERATE WITH THE RTG ON THESE PROBLEMS WE WOULD BE MUCH CONCERNED BY THEIR FAILURE TO COOPERATE WITH US IN SUCH A MATTER.

4. OTHERS HAVE A RESPONSIBILITY IN THIS INCLUDING A RESPONSIBILITY BY THE RTG TO ACCEPT SUCH REFUGEES AT LEAST TEMPORARILY WHILE WORKING WITH UNHCR TO FIND A MORE PERMANENT SOLUTION TO THEIR PROBLEM. THIS IS NOT AN UNFRIENDLY POLITICAL ACT TOWARD VIETNAM BUT A COMMON HUMANITARIAN OBLIGATION RECOGNIZED BY ALL CIVILIZED NATIONS.

5. WE ARE NOW PREPARING TO CONSULT WITH THE CONGRESS ON AN EXPANDED PAROLE PROGRAM FOR INDOCHINESE. SUCH AN EXPANDED PROGRAM IS INTENDED TO ASSIST THE RTG IN DEALING WITH THEIR REFUGEE PROBLEMS. SUCCESSFUL CONSULTATIONS ARE VERY MUCH IN THE INTEREST OF THE RTG. NON-COOPERATION OF RTG AND RESULTANT FORCIBLE REPATRIATION OF THESE THREE YOUNG PEOPLE WOULD NOT BE UNDERSTOOD IN THE UNITED STATES AND COULD HAVE A NEGATIVE EFFECT ON SUCH CONSULTATIONS.

6. REQUEST EMBASSY PUT ABOVE POINTS TO RTG IN STRONGEST TERMS AND URGE RTG AUTHORIZE REFUGEES BE RELEASED INTO CUSTODY UNHCR. IF TIME PERMITS, JOINT APPROACH TO RTG BY EMBASSY AND UNHCR DESIRABLE.

7. FOLLOWING FYI BUT MAY BE DRAWN ON IN DISCUSSION WITH RTG AT EMBASSY'S DISCRETION. DEPARTMENT HAS ALREADY HELD URGENT DISCUSSIONS WITH INS/CO WHICH HAS REFUSED TO AGREE TO HUMANITARIAN PAROLE FOR THESE REFUGEES. IF RELATIONSHIP VERIFIED, CASE OF TO VAN LAM WHO CLAIMS FATHER IN US CAN BE RECONSIDERED. IF EXPANDED PAROLE PROGRAM GRANTED, WE CAN CONSIDER REFUGEES FOR PAROLE BUT THEY DO NOT APPEAR TO MEET PROPOSED CRITERIA.

8. IF ALL ELSE FAILS, WE WOULD PROPOSE TO ATTEMPT MOVE LIMITED OFFICIAL USE

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THESE THREE REFUGEES UNDER CONDITIONAL ENTRY PROGRAM. THUS, WE WOULD ATTEMPT, DIRECTLY OR THROUGH UNHCR, TO ARRANGE ENTRY OF REFUGEES INTO HONG KONG FOR SEVENTH PREFERENCE PROCESSING UNDER CONDITIONAL ENTRY PROGRAM FOR WHICH THESE REFUGEES APPEAR TO QUALIFY. USRP FUNDS ARE AVAILABLE FOR SUCH MOVEMENT. WHILE WE CANNOT GUARANTEE REFUGEES WOULD BE TAKEN OFF RTG HANDS BY THIS SOLUTION, THAT SEEMS LIKELY RESULT.

9. WE DO NOT, HOWEVER, WISH TO TAKE THIS STEP. THIS PROGRAM HAS NOT BEEN USED FOR REFUGEES FROM INDOCHINA IN THAILAND AND WE HAD NOT INTENDED TO DO SO. WE DO NOT FEEL WE SHOULD BE FORCED TO THIS SOLUTION.

10. IF NECESSARY, HOWEVER, TO SAVE THESE REFUGEES FROM FORCIBLE REPATRIATION, EMBASSY IS AUTHORIZED TO INFORM RTG WE ARE PREPARED USE BEST EFFORTS MOVE REFUGEES FROM THAILAND IN THIS FASHION.

11. BANGKOK 1589 BEING REPEATED GENEVA IMMEDIATE NIACT. GENEVA SHOULD ACQUAINT UNHCR WITH SITUATION AT EARLIEST OPPORTUNITY AND URGE APPROPRIATE ACTION. SISCO

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